THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION

Case No: 7:13-cv-00004-D

NOELLE ENTERPRISES, INC.)
Plaintiffs,)
v.) DISMISSAL
THE GERSON COMPANY and KEVIN DAY,)
Defendants.	<i>)</i>)

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), the Defendants having not yet appeared,

Plaintiff hereby dismisses its claims with prejudice, each party to bear their own respective costs and fees.

Respectfully submitted, this the 6th day of February, 2013.

COATS & BENNETT, PLLC Attorneys for Plaintiff

By: <u>s/ Anthony J. Biller</u>

Anthony J. Biller NC State Bar No. 24,117 1400 Crescent Green, Suite 300 Cary, North Carolina 27518

Telephone: (919) 854-1844 Facsimile: (919) 854-2084

Email: abiller@coatsandbennett.com